

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

P37984-P0

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/007265

International filing date (day/month/year)

14.04.2005

Priority date (day/month/year)

15.04.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/007265

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/007265

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-3</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>2, 3</u>	YES
	Claims	<u>1</u>	NO
Industrial applicability (IA)	Claims	<u>1-3</u>	YES
	Claims	_____	NO

2. Citations and explanations:

Document 1: JP, 2004-39029, A (Yamaha Corp.), 5 February, 2004 (05.02.04), paragraph [0021]
Document 2: JP, 2002-203321, A (Yamaha Corp.), 19 July, 2002 (19.07.02), full text, all drawings

Claim 1

The subject matter of claim 1 does not appear to involve an inventive step in view of documents 1 and 2. Document 1 describes that return light (reflection light) is monitored by a monitor diode, and laser power is controlled based on a signal detected thereby. In document 1, a recording layer (information layer) and a visible image forming layer (visual information layer) are the same layer, but it would be easy for a person skilled in the art to use other different layers instead of these layers as described, for example, in document 2.

Claims 2 and 3

The subject matters of claims 2 and 3 are neither described in any of the documents cited in the ISR nor obvious to a person skilled in the art.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/007265

Box No. VI Certain documents cited

1. Certain published documents (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2004.206845 A [E, X]	22.07.2004	26.12.2002	

2. Non-written disclosures (Rule 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
--------------------------------	--	---

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/007265

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

“The control means controls the optical output of the light source based on the detected signal when the visual information is recorded on the visual information layer of the recording medium” is described in claim 1. Concerning this “detected signal,” claim 1 describes that “... receives reflection light reflected by the information layer of the information medium and generates a detected signal based on the reflection light received.” Judging from this description, the optical output when the visual information is recorded on the visual information layer is considered to be controlled on the basis of the detected signal based on the reflection light reflected by the “information layer” of the information medium, but this matter is not technically clear, and is not adequately supported by the specification.